

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

USA FARM LABOR, INC., et al.)	
)	
Plaintiffs,)	
)	PLAINTIFFS' MOTION FOR
v.)	PRELIMINARY INJUNCTION
)	
JULIE SU, et al.)	Civil Action No.: 1:23-96
)	
Defendants.)	

Plaintiffs respectfully ask the Court to enter a preliminary injunction prohibiting defendants from applying the 2023 adverse effect wage rate final rule to any H-2A job order submitted by or on behalf of plaintiffs. *See* Employment and Training Administration, *Adverse Effect Wage Rate Methodology for the Temporary Employment of H-2A Nonimmigrants in Non-Range Occupations in the United States*, 88 Fed. Reg. 12,760 (Feb. 28, 2023).

Dated: May 26, 2023

/s/ Mark Stevens
Mark Stevens, VA Bar # 86247
Clark Hill PLC
1001 Pennsylvania Ave. NW, Suite 1300 South
Washington, DC 20004
Telephone: (202) 552-2358
Facsimile: (202) 772-0919
mstevens@clarkhill.com

Wendel V. Hall
Hall Global
1350 Connecticut Ave, N.W., Suite 1220
Washington, DC 20036
Telephone: 202-744-3250
wendel@halllawoffice.net

Patrick H. Flanagan, NC Bar # 17407
Cranfill Sumner LLP
P.O. Box 30787
Charlotte, NC 28230
Telephone: (704) 332-8300
Facsimile: (704) 332-9994
phf@cshlaw.com

Counsel for Plaintiffs